



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MAY 20 1994

In Reply Refer To: 3HW11

Crouse Hinds Company
Mr. William Tuck, President
Wolf 7 North Street
Syracuse, NY 13208

Re: Butler Tunnel Site, Luzerne County, Pennsylvania

Dear Mr. Tuck:

The U.S. Environmental Protection Agency (EPA) is seeking information concerning a release, or the threat of release, of hazardous substances, pollutants, or contaminants into the environment at the above referenced Site. Pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), you and/or your company are required to furnish all information and documents in your possession, custody or control, or in the possession, custody or control of any of your employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), and/or pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above referenced facility or the surrounding area.

Enclosed please find a copy of a purchase order from Crouse Hinds to Northeast Oil Services which indicates that Crouse Hinds was serviced by Northeast Oil Services for waste removal. Also attached is a portion of Harry Sutton's Deposition dated September 9, 1986, which identifies Crouse Hinds as a pick-up customer for Northeast Oil Services in Syracuse, New York. EPA has reason to believe that wastes which Crouse Hinds generated may have been transported to and disposed of at the Butler Tunnel Site.

Instructions for responding to this information request are provided in Attachment A. Questions regarding waste generation and waste disposal are included in Attachment B. Documents referenced within Attachment B are attached as Attachments C, D and D-1. All Attachments are incorporated herein. Please respond for all materials which are potentially hazardous as well as the hazardous substances, pollutants, and contaminants previously specified in this letter.

As used herein, the term "documents" means: writings (handwritten, typed, or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

You are entitled to assert a claim of business confidentiality covering all or any part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Please note the limitations on the types of information that can properly be claimed as confidential under CERCLA, which are specified in section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted when the information is submitted to EPA, EPA may make this information available to the public without further notice to you or your company.

EPA may contract with one or more of the following independent contracting firms to review the documentation, including documents which you claim are confidential business information ("CBI") which you submit in response to this information request, depending on available agency resources. The contractor will be filing, organizing, analyzing and/or summarizing the information for agency personnel. EPA's contractors are: Booz-Allen & Hamilton, Inc. (subcontractors to Booz Allen & Hamilton, Inc. include: CDM-Federal Programs Corporation, Dynamac Corporation, PRC Environmental Management, Inc., CACI, Inc., Hydraulic & Water Resources Engineers, Inc., Investigative Consultant Services, Inc., Northeast Investigations, and Tri-State Enterprises), CH2MHill, Black & Veatch Waste Science and Technology Corporation, TetraTech, Inc., Ecology & Environment, Inc., Halliburton NUS Corporation (formerly known as Halliburton NUS Environmental Corporation), Environmental Technology, Inc., and Roy F. Weston, Inc. operating under contract numbers 68-W4-0010, 68-W8-0090, 68-W8-0091, 68-W8-0092, 68-W8-0085, 68-W8-0037, 68-S2-3002, and 68-W0-0036, respectively. These contractors have signed a contract with EPA that contains a confidentiality clause with respect to CBI that they handle for EPA. Section 104 of the Superfund law, and EPA's regulations at 40 C.F.R. § 2.310 provide that EPA may share such CBI with contractors. If you have any objection to disclosure by

regulations at 40 C.F.R. § 2.310 provide that EPA may share such CBI with contractors. If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of these entities, you must notify EPA at the at the time you submit such documents.

You must respond in writing to this requirement to submit information within **20 calendar days** of your receipt of this letter. For a corporation, the response must be signed by an appropriately authorized corporate official. For other entities, the response must be signed by an authorized official of that entity. If, for any reason, you do not provide all information responsive to this letter in your answer to EPA you must: (1) describe specifically what was not provided, (2) supply to EPA a clear identification of the document(s) not provided, and (3) provide to EPA an appropriate reason why the document(s) was/were not provided.

Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with that Section or for failure to respond adequately to a requirement to submit information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

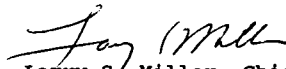
All documents and information should be sent to:

Gary Morton (3HW11)
U.S. Environmental Protection Agency
841 Chestnut St.
Philadelphia, PA 19107

If you have any question concerning this matter, please contact Mr. Morton at (215) 597-9944. Specific legal questions should be referred to Kathleen Root, Esquire, at (215) 597-8920.

This required submission of information is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

Sincerely,


Larry S. Miller, Chief
PRP Search Section

Enclosures

cc: Gary Morton (3HW11)

ATTACHMENT A

Butler Tunnel Site Information Request

Instructions for Responding to Questions

1. Please provide a separate narrative response to each and every Question and subpart of every Question set forth in this Information Request. Note that the terms "you" and "Respondent" mean the addressee of this Request, and the addressee's officers, managers, employees, contractors, trustees, partners, successors, assigns, and agents.
2. Precede each response with the number of the Question to which it corresponds.
3. For each Question contained herein, identify all persons consulted in the preparation of the answer. Also provide their titles, areas of responsibility, current addresses, and telephone numbers.
4. For each Question contained herein, identify all documents consulted, examined, or referred to in preparation of the answer or that contain information responsive to the question, and provide true and accurate copies of all such documents.
5. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
6. For each Question contained herein, if information or documents responsive to this Information Request are not in your possession, custody, or control, state that fact and provide the names, titles, areas of responsibility, addresses, and telephone numbers of the persons from whom such information or documents may be obtained.
7. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find, at any time after the submission of your response, that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible and provide EPA with a corrected response.

ATTACHMENT B

**Butler Tunnel Site
Information Request**

QUESTIONS

1. State the name of your company, its mailing address and telephone number. Further identify:

- a) The date and State(s) of incorporation and/or dissolution of your company;
- b) The date and original State of incorporation, if any, of your company; and
- c) The parent corporation of your company, if any, and all subsidiaries or other affiliated entities.
- d) The name and State(s) of incorporation of any successor corporation or company.

2. Describe the nature of your company's operations between 1977 and 1979. Identify all persons currently or previously employed by your company who have or may have personal knowledge of your company operations during this time period. For each such person, state that person's employer, job title, dates of employment, current address and phone number. If the current phone number or address is not available, provide the last known phone number or last known address of such person.

3. Describe the types of documents generated or maintained by you/your company concerning the handling and/or generation, storage, treatment, disposal, recycling, formulation, or transportation of any hazardous substance, hazardous waste, pollutant, contaminant, or other waste at your company between 1976 through 1979.

- a) Provide a description of the information included in each type of document
- b) Identify any person(s) who in the past was the custodian of such documentation and identify the person(s) who is currently the custodian of the such documentation.
- c) Describe any permits or permit applications and any correspondence between you/your company and any regulatory agencies regarding the transportation of wastes for disposal; and
- d) Any correspondence between you/your company and any third party regarding such wastes and their disposal.

4. Identify each and every hazardous substance used in the period between 1976 through 1979 and/or generated, stored, transported, treated, disposed of, released, or otherwise handled at your facility and, with respect to each such hazardous substance, further identify:

a) The processes by which any hazardous substances were used, generated, stored, transported, treated, disposed, or otherwise handled;

b) The procedures by which any hazardous substances described in "a)" above was stored, transported, treated, disposed, or otherwise handled;

c) The chemical composition, characteristics, physical state (solid, liquid, or gas) of each such hazardous substance so used or generated.

d) The chemical composition, characteristics, physical state (solid, liquid, or gas) of each such hazardous substance stored, transported, treated, disposed, or otherwise handled;

e) The specific quantity of each such hazardous substance stored, transported, treated, disposed, or otherwise handled at your facility.

5. Identify all by-products and wastes produced through the operation of your facility (including generic or brand name and chemical composition). With respect to each such by-product and waste identified, further provide:

a) A description of how each by-product or waste was stored, transported, and disposed of;

b) The quantities of such by-products and wastes so generated, stored, treated, transported, disposed of, or otherwise handled;

c) The name of the individual(s) and/or company(ies) who transported and/or disposed of or treated such by-products or wastes; and

d) The location of final disposal of each by-product or waste.

6. Please provide in detail any past business relations you/your company may have had regarding transportation, disposal, and/or treatment of any wastes by the Northeast Oil Service Co. and/or Hudson Oil Refining Company and/or Newtown Refinery Co., including, but not limited to:

- a) Any correspondence between your company and Northeast Oil Service Co. and/or Hudson Oil Refining Company and/or Newtown Refinery Co.;
- b) Any correspondence between your company and any regulatory agencies regarding your company's dealings with the Northeast Oil Service Co. and/or Hudson Oil Refining Company and/or Newtown Refinery Co.;

7. The following questions concern the attached Purchase Order from Crouse Hinds to Northeast Oil Services dated January 24, 1977, attached hereto as Attachment C:

- a) Did Northeast Oil remove waste from your facility from at any time from March 15, 1977 to March 15, 1978)?
- b) With respect to the "oil recovery Bldg.", please: i) identify the location of this building; ii) identify the function/purpose of this building during 1977 through 1978; and iii) is this building currently being used?
- c) Please explain what the following words/phrases mean: i) "Vendor"; ii) "This order replaces F144416M"; and iii) "Maint. Rec."
- d) Please describe the nature of the chemicals, compounds, and/or substances (including their constituents and their physical states [i.e. liquid, solid, etc.]), produced, stored, or handled in the oil recovery building from 1977 to 1979.
- c) If Northeast Oil did fill this purchase order, please describe the nature of the chemicals, compounds, and/or substances (including their constituents and their physical states [i.e. liquid, solid, etc.]), which Northeast Oil removed from the oil recovery building from March 15, 1977 to March 15, 1978.
- d) Where did Northeast Oil transport these wastes once removed from the "oil recovery Bldg."?
- e) Between March 1977 and March 1978, what volume of waste did Northeast Oil remove from the Crouse Hinds facility? Please provide all documents relevant to your response.
- f) Please describe the process by which these wastes were generated.
- g) Please identify the name of the person whose signature follows the words "Purchasing Approval".

- g) Did Northeast Oil Services ever remove any other wastes from your facility under any other agreement? If so, please describe such wastes in detail, the process by which they were generated, and the details of such agreement for removal.

8. Did Crouse Hinds utilize any other company, besides Northeast Oil, to remove and/or transport waste from the Crouse Hinds facility for disposal from 1977 to 1979? If so, please identify the company or companies, describe the wastes removed and transported for disposal, and identify the location of disposal.

9. Please identify individual(s) at Crouse Hinds who were responsible for arranging for the removal and disposal of wastes, and individual(s) who were responsible for payments, payment approvals, and record keeping concerning such transactions. Provide current addresses and telephone numbers where they may be reached.

- a) Identify individuals from Northeast Oil and from any other transporters (including truck drivers, dispatchers, managers, etc.) with whom Crouse Hinds dealt concerning removal and transportation for disposal of any wastes generated at the Crouse Hinds facility.
- b) Please provide any Crouse Hinds company documents which pertain to any waste pick-ups relevant to the attached purchase order, including, but not limited to, receipts, invoices, trip tickets, bills of lading, manifests, logs, and memoranda.

10. The following questions concern the attached portion from Harry Sutton's Deposition dated September 9, 1986: attached hereto as Attachments D and D-1.

- a) Please describe the types of trucks which Northeast Oil or any other waste hauler used to transport waste from the Crouse Hinds facility. Please describe the size of any waste removal trucks and any logos or any other distinguishing features.

11. Representative of Your Company:

- a) Identify the person(s) answering these questions on behalf of your company, including full name, mailing address, business telephone number, and relationship to the company.
- b) Provide the name, title, current address, and telephone number of the individual representing your company to whom future correspondence or telephone calls should be directed.

12. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

a) Your document retention policy;

b) A description of how the records were destroyed (burned, archived, trashed, etc.) and the approximate date of destruction;

c) A description of the type of information that would have been contained in the documents; and

d) The name, job title, and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; and the person(s) who would have been responsible for the destruction of these documents.

Purchase Order

IMPORTANT!

For prompt delivery of your order, please send your purchase order to the attention of the purchasing agent, and not to the attention of the sales agent. The purchasing agent will be glad to assist you in the selection of the most suitable material for your requirements. The sales agent will be glad to assist you in the selection of the most suitable material for your requirements.

CHECK NUMBER

CREDIT DATE

FL166659M 1/24/77

TO:

Northeast Oil Services
P.O. Box 269 Salina Sta.
Syracuse, New York 13208

Crouse Hinds Company, Syracuse, New York 13201



Shipping the ordered goods on by a transportation company is the responsibility of the purchaser. The purchaser is responsible for the payment of the goods and for the payment of the freight. The purchaser is responsible for the payment of the goods and for the payment of the freight. The purchaser is responsible for the payment of the goods and for the payment of the freight.

**IMPORTANT -
COMPLETE AND RETURN
ATTACHED ACKNOWLEDGMENT**

Unless otherwise specified, ship to above address.
Shipments may arrive seven days prior to bill date.
Delivery date specified.
Parking lots must accompany shipments.
Invoices must be rendered in triplicate.
Deliver in single kit unless stated below.

QUANTITY	See Below	UNIT PRICE	UNIT
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DISCRIPTION

1000631010002358

MS 1015, 1000

Blanket order to cover waste removal from oil recovery Bldg. for period 3/15/77 to 3/15/78.

Vendor will pay \$.02/gallon for every gallon removed.

This order replaces FL144416M dated 2/26/78.

The equal employment opportunity clause on Section 702 of purchase order 811246, as amended, relating to equal employment opportunity, and the understanding that the purchaser of the goods and services is not to be held liable for any discrimination on the basis of race, sex, or color, is hereby acknowledged and agreed to by the purchaser.

ENTIRE DISPOSITION - INCLUDING ITEM NO. IF SHOWN MUST APPEAR ON ALL INVOICES, TRANSPORTATION, PACKING, UNL, BIL OF LADING, AND CONTAINERS

PURCHASING APPROVAL

DM

Re type D055188M

ATTACHMENT C TO CROUSE HINDS LETTER

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----x
5 THE CITY OF NEW YORK,

6 Plaintiff,

7 -against-

8 EXXON CORPORATION; EXXON RESEARCH AND
9 ENGINEERING COMPANY, INC.; INGERSOLL-RAND
10 COMPANY; ALCAN ALUMINUM CORPORATION; 85 Civ. 1939
11 FORD MOTOR COMPANY; KOPPERS COMPANY, (EW)
12 INC.; BASF WYANDOTTE CORPORATION;
13 CHRYSLER CORPORATION; UNITED TECHNOLOGIES
14 CORPORATION; CARRIER CORPORATION;
15 NATIONAL CAN CORPORATION; PUBLIC SERVICE
16 ELECTRIC & GAS CORPORATION; TURBO
17 PRODUCTS INTERNATIONAL, INC.; and
18 REFINEMENT INTERNATIONAL, INC., formerly
19 known as AG-MET, INC.,

20
21 Defendants.

22 -----x
23 WITNESS: HARRY SUTTON DATE: SEPTEMBER 9, 1986

24 Prepared for:
25 Mr. Russell Vance Randle
Attorney-At-Law
(Copy)



1
2 A. Yes, without a doubt they would be in
3 there.

4 Q. What about a company called AKBA, is
5 that name familiar to you?

6 A. No.

7 Q. What about Aero-lite?

8 A. No.

9 Q. Western Electric, any pick ups from
10 Western Electric?

11 A. No.

12 Q. Krause-Hinz, do you recall that name as
13 a Syracuse pick up customer?

14 A. I think the little trucks went in
15 there. We never went in there with transports.

16 Q. Again, any of these names, if it had
17 been the little trucks you might not recall today
18 if that was a customer, if it was a little truck
19 customer, is that a fair statement?

20 A. Yes.

21 Q. How about Chemical Pollution Control?

22 A. No.

23 Q. Gulf Oil?

24 A. The little trucks picked up at all of
25 them, at what they call Tank City, Syracuse, Gulf



SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete if mg. 2, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space is not available.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Crouse Hinds Company
Mr. William Tuck, President
Wolf 7 North Street
Syracuse, NY 13208

4a. Article Number

1379777 056

4b. Service Type ☐ Insured

☒ Registered

☐ Certified

☐ Express Mail ☐ SOD

7. Date **DEC 25 1991** **OFF**

8. Addressee's signature if requested and fee is paid **USPS**

6. Signature Agent

PS Form 3811, December 1991 *U.S. GPO: 1993-352-714

Butler Tunnell

Is your **RETURN ADDRESS** completed on the reverse side?

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



GARY MORTON
EPA REGION III
PRP SEARCH SECTION (3HW11)
841 CHESTNUT BUILDING
PHILADELPHIA, PA 19107

P 379 777 056



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to

Street and No.

Crouse Hinds Company
P.O. **Mr. William Tuck, President**
Post. **Wolf 7 North Street**
Syracuse, NY 13208

Certif.

Spec.

Restr.

Return to Whom & Date Delivered

Return Receipt Showing to Whom, Date, and Addressee's Address

TOTAL Postage & Fees

\$

Postmark or Date

PS Form 3800, June 1991